

**Stow Conservation Commission  
Minutes  
April 19, 2022**

A meeting of the Stow Conservation Commission was held on April 19, 2022 at 7:30 in the evening remotely VIA Zoom Videoconferencing in accordance with the Governors' Executive Order on Remote Meeting participation.

There were present: Serena Furman, Chair  
Matt Styckiewicz, Vice Chair  
Jeff Saunders  
Liza Mattison  
Holly Clack  
Doug Morse

Absent: Ingeborg Hegemann Clark

Also Present: Kathy Sferra, Conservation Director  
Jacquie Goring, Conservation Assistant

Serena Furman called the meeting to order at 7:30 pm.

**Minutes**

*Jeff Saunders moved to approve the minutes of April 5, 2022 as written. Holly Clack seconded and the motion was approved unanimously.*

**Lake Boon Weed Treatment Annual Report** – The Commission confirmed they did not have any comments on the report. *Jeff Saunders moved to approve the Lake Boon Weed Treatment Annual report. Liza Mattison seconded and the motion was approved unanimously.*

**Staff and Commission Member Updates**

- Sferra noted that it is National Volunteer week and thanked the Commission for their dedicated volunteer work serving on the Conservation Commission.
- Sferra suggested two new standard conditions for Orders of Conditions including a requirement that erosion controls be removed within 30 days of the issuance of a Certificate of Compliance (COC) and, for projects on Lake Boon, a requirement to post an additional DEP sign facing the lake.

Serena Furman recused herself 7:37 PM as an abutter to the Kunelius property. Matt Styckiewicz acted as chair.

**Appointment – Jesse Steadman, Town Planner – Discussion of Water Feasibility Study** – Town Planner Jesse Steadman was present to discuss the water feasibility study for Lower Village. Styckiewicz noted that the appointment was not a public hearing and public comment is not expected.

Steadman stated that American Rescue Plan Act funds have been allocated to a feasibility study for creating a Public Water Supply (PWS) in the Lower Village business district to understand what is available and the cost associated with distributing water to Lower Village. Steadman reviewed the current PWS wells in Stow and PWS well criteria. Steadman noted the Zone I Water Protection Area required for PWS and that Zone I radii cannot be in an area with any existing development like roadways, parking lots, or buildings. Steadman added that the Zone I radius requirement has prevented a new PWS in Lower Village, preventing some businesses from developing how they want to or could. Steadman reviewed a map of the existing PWS wells in Lower Village and the associated Zone I radii which are preexisting non-confirming. Steadman also noted that the parcels in the area are small and without undeveloped areas, limiting the placement of a Zone I water supply in Lower Village.

Steadman reviewed the history, noting that discussions about Lower Village water date back further than 2006. The Town went through the Article 97 Process in 2012 to allow for a PWS well on the Heritage Lane Open Space Parcel at Stow Town Forest. Well language was included in the Kunelius property vote and previous studies have been done for potential water on the site which have been promising. The new study will include a water system feasibility analysis to see what options are available and the cost associated with distributing and maintaining it. Steadman reviewed a map showing the Kunelius 144 Red Acre property and Heritage Lane, noting the distance to the Kunelius property and limited area for a well on the Heritage Lane property. Steadman noted that the selected engineering firm completing the study will weigh in on the technical aspects including various environmental permits required at the State and local level. Steadman recommended a kickoff meeting in the field to discuss vehicle access, vegetation clearing and restoration.

The Commission noted the need to approve the site work on each parcel as well as the potential need for wetlands permitting. Steadman confirmed that the RFP will be sent out to multiple firms later this spring. Steadman also confirmed that discussions with Linear Retail are still happening, and the selected engineering firm will need to evaluate the area as a whole. The Commission noted the ongoing remediation at the Mobil station. Steadman confirmed site suitability and past releases will be reviewed and what types of treatment options are available. The Commission asked if both overburden and bedrock wells would be considered. Steadman stated that part of the study will need to determine that, and he will be sure that is clear to the selected engineering firm.

Serena Furman returned at 8:01 PM.

**Appointment – Denise Dembkoski, Town Administrator** – Town Administrator Denise Dembkoski was present. The Commission and Dembkoski introduced themselves. Dembkoski noted that she will lead the team with Sferra and Steadman for the Lower Village water study and Sferra will keep the Commission apprised of the bid process. Dembkoski and the Commission discussed the future of public meetings and the extension of the Open Meeting Law provisions for remote meeting participation through July 15, 2022. Dembkoski stated that it is up to each board whether to meet virtually or in person right now and a hybrid option may be required in the future. Dembkoski also provided the Commission with an update on the Lake Boon dam. Dembkoski stated that the project has been on hiatus since coming before the Commission, and that when the project goes forward it will be done

using a phased approach. Dembkoski added that the Town has applied for a million dollar grant to do the first phase which would not begin until 2023. Dembkoski noted the concerns about closing the dam for an extended period and when revised plans are ready, they will be shared with all necessary parties and brought back to the Commission before moving forward.

**Notice of Intent – Paul Rouselle, Bentley Building Corporation – 33 Walcott Street** – Paul Rouselle and Mark White of Bentley Building Corporation, and Daniel Carr of Stamsky & McNary were present. Furman read the hearing notice. Carr showed a site plan for the site and reviewed the wetland line, River Front Area, and Flood Plain. Carr stated that beavers have moved into the area and showed the beaver dam and flooding area. Recently six beavers were trapped during trapping season. Carr stated that White would like a permanent solution and a flexible pond leveler is proposed. Carr described the construction of the pond leveler which includes a domed intake fence enclosing a pipe which runs through the dam. The water level is controlled based on the height of the pipe. Carr stated that the pond leveler will keep the water level low and prevent flooding on the Sandy Brook property without removing the dam. Installation of the flexible pond leveler will be done by hand.

Carr described how the pipe would be installed through the beaver dam by removing a portion of the dam to place the pipe. Carr stated that beaver will quickly replace the material that is removed to patch the hole in the dam. Rouselle stated that the cage will prevent beaver from blocking the pipe. Intake fence and pipe is placed far enough from the dam so beaver can't figure out where the water is flowing from. Rouselle added that they plan on lowering the pond level by about a foot.

Jeff Saunders and Jacquie Goring visited the site. Saunders noted that they reviewed the wetland delineation from 2013 while onsite and Sferra provided additional information in the packet about the current state of the flooding. Saunders reviewed photos from the visit noting the area of flooding above the dam and staining on the trees indicating that the water level has likely been higher before. Saunders estimated that the change in elevation between the top of the dam and the lower stream bed is three to four feet. Goring noted there was some flow of water through the dam indicating that beavers have not made any recent repairs.

The Commission discussed if there was ponding in the area before the beaver activity. White stated that the wetland delineation before the development showed the area as wetland with no substantial standing water. Sferra added that the beaver pond is located on the large parcel of open space that was slated to go to the Town as part of the development with a trail system proposed through the area that is now flooded. Saunders noted there were also areas of standing water on the Walcott Street side of the dam. White confirmed those areas were not there before. White also confirmed that the plan is to lower the beaver pond to bring the water level back to 2016 levels. White confirmed they are using Mike Callahan of Beaver Solutions to install the pond leveler. Sferra noted Callahan has worked for the Highway Department and installed the beaver fencing under the bridge at Town Forest.

The Commission asked if there is ongoing maintenance needed for the pond leveler. Sferra noted that the cage can get blocked with debris and a special condition could be included in the permit requiring maintenance. Saunders noted the opposition of an abutter and asked if there has been Board of Health

involvement or emergency requests for trapping. Sferra stated that she learned about the flooding from the abutter and went out and looked at it and notified White. White explored options and worked with the Board of Health to trap in season. Sferra added that a pond leveler can be installed under an emergency permit but there has to be an imminent threat to public health and safety, or a Notice of Intent should be filed.

Brian Lobenstine, 53 Walcott Street, asked if the goal is to bring the water level back to 2016 levels by lowering the water level by a foot. White stated that the goal is to bring the water level back to pre-beaver levels. White clarified that the area was not dry before the beaver flooding and was flagged as wetland but had no standing water.

Michele Crosby, 7 Edgehill Road, asked about the status of the development and environmental cleanup. White stated that the cleanup is going very well and Crosby can reach out to him directly.

Sferra noted that a file number has not been issued by DEP and the hearing should not be closed. White asked if there are no DEP comments would the hearing just be opened and closed and a decision be reviewed. *Liza Mattison moved to continue the hearing to May 3, 2022 at or after 7:30 PM. Holly Clack seconded and the motion was approved unanimously.*

**Continued Notice of Intent – Ronald and Maria Vachon – 6 Davis Road** – Sferra stated that DEP issued a file number with no comments. Ron Vachon was present and confirmed he had no additional comments or information. *Matt Styckiewicz moved to close the hearing. Liza Mattison seconded and the motion was approved unanimously.*

The Commission reviewed a draft decision. The Commission confirmed the proposed patio will be constructed using pervious pavers. The conditions clarify that both straw wattle and silt fence will be used. The Commission confirmed that they would like a condition requiring erosion controls to be removed within 30 days of issuance of a COC and posting of a DEP file number sign facing the lake. *Liza Mattison moved to issue the Order as amended. Holly Clack seconded and the motion was approved unanimously.*

**Discuss/Vote Letter of Support for Stow Acres Municipal Vulnerability Preparedness Grant Application** – Sferra reviewed the letter of support with the Commission and noted that she is currently working on the budget for the grant application and various letters of support. Liza Mattison confirmed she would be willing to edit the application. Sferra confirmed she will review the funding summary and check the calculations. *Matt Styckiewicz moved to approve the letter of support. Liza Mattison seconded and the motion was approved unanimously.*

#### **Staff and Commission Member Updates – Continued**

- Sferra updated the Commission on the hiring process for the Seasonal Trail Steward positions.
- Community Garden assignments will be sent out this week.
- An Eagle Scout candidate met with Sferra regarding Eagle Scout project ideas including a new kiosk at Hallock Point and repairs to existing kiosks at Spindle Hill and Town Forest.

*At 9:05 PM, Holly Clack moved to adjourn, Matt Styckiewicz seconded and the motion was approved unanimously.*

Respectfully submitted,

Jacquelyn Goring, Conservation Assistant

Materials Used at Meeting

Meeting Packet

Lake Boon Weed Treatment Annual Report

33 Walcott Street site visit photos

Draft Order of Conditions 6 Davis Road

Letter of Support for Stow Acres Municipal Vulnerability Preparedness Grant Application